



WISCONSIN

DEPARTMENT OF WORKFORCE DEVELOPMENT

Division of Economic Support
Bureau of Welfare Initiatives

**TO: Economic Support Supervisors
Economic Support Lead Workers
Training Staff
FSET Administrative and Provider Agencies
Child Care Coordinators
W-2 Agencies**

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Policy Analysis and Program Implementation Section**

**SUBJECT: APPLICATION PROCESSING AND MEDICAID ELIGIBILITY FOR
MINORS AND PERSONS AGE 18**

CROSS REFERENCE: **Medical Assistance (Medicaid) Handbook**, AFDC-Related Unit
BWJ Operations Memos 94-36, 95-21, and 96-12

PURPOSE

This Memo clarifies the policy concerning the determination of Medicaid (MA) eligibility for applicants and recipients 18 years of age and younger. It addresses the following issues:

1. When to count the income and assets of the parent(s) of an 18 year old when the parent(s) live with the 18-year-old.
2. How to treat a person under age 19 who applies for MA when living with a caretaker relative (including a parent).
3. How to treat a person under age 19 who applies for MA and is not living with a caretaker relative.

SPECIAL NOTE

Throughout this Operations Memo we are discussing 18 year olds who are not otherwise nonfinancially eligible as blind, disabled, pregnant, or as parents (or caretaker relatives) of minor children.

BACKGROUND

In May 1994, Wisconsin's MA policy was changed to allow 18 year olds, by virtue of age alone, to be non-financially eligible for MA. 18-year old persons were only eligible for **categorically needy**, AFDC-Related MA. Persons less than age 18, or age 18 and qualifying nonfinancially by meeting the criteria of a Dependent 18 Year Old, are nonfinancially eligible for both categorically needy and medically needy AFDC-Related MA.

At that time, we continued the MA fiscal test group policies for persons nonfinancially eligible for MA by virtue of being under age 19. Natural or adoptive parents in the household were still considered part of the MA fiscal test group.

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NEW POLICY

Parents are **not** legally responsible for 18-year-old sons and daughters. Therefore, when determining the MA eligibility of an 18-year-old person living with his or her natural or adoptive parent(s), the parent's income and assets are not counted.

A spouse of the 18-year-old is a member of the 18-year-old's fiscal test group when in the household.

Parents of an 18-year-old son or daughter can qualify as a caretaker if the son or daughter meets the criteria of a dependent 18-year-old. The parents of an 18-year-old son or daughter can be MA eligible if:

1. The caretakers, including parents, request to be included in the MA group.
2. The 18-year-old meets the criteria of a Dependent 18-year-old. (MA Handbook, Appendix 4.6.0)
3. The group meets all other nonfinancial requirements.
4. The group, with the parent's income and assets included, meets the MA AFDC-Related categorically needy financial criteria.

If the above group fails financial requirements, the 18-year-old must then be tested for eligibility as an individual separate from the parents. If the 18-year-old met the non-financial Dependent 18-year-old criteria, s/he can be determined as categorically needy or medically needy.

The earned income of persons who meet the Dependent 18-year-old criteria continues to be disregarded since MA still considers them "minor children" in school. Count the earned income of 18-year-olds that do not meet Dependent 18-year-old criteria, regardless of their school status.

APPLICATION FOR MA

Any person, **regardless of age**, may apply for MA. If the person applying is a minor or an 18-year-old, that person's parents need to sign the application **if they are requesting** MA for themselves. If the parents don't want MA, then the minor or 18-year-old can sign the application. When the person:

1. Is a **minor** the caretaker's income and assets must be verified and a release of information signed.
2. Meets the **dependent** 18-year-old criteria, the caretaker's income and assets must be verified and a release of information signed.

If someone under age 18 applies for MA and does not live with a qualifying relative, process the application based upon that child's income and assets. Refer the case to the appropriate agency that handles child welfare issues and to the child support agency if a parent is still alive. The parent remains financially responsible for the child.

CARES

If there is a request for MA for a person under age 19, living alone or with unrelated persons, process the request in CARES for MA eligibility with the minor or 18-year-old as the primary person.

If there is a request for MA for a person over age 18, living with his/her parents, process the request with the over age 18 adult as the primary person, unless the parents are also requesting MA as the caretakers of a dependent 18 year old.

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